

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MEMORANDUM AND ORDER

Plaintiff moves for reconsideration of the dismissal of this action as untimely, because he failed to file this suit within ninety days from the receipt of the EEOC's right-to-sue letter. He argues that the Court should have calculated the ninety-day period from the date he received his right-to-sue letter from the Missouri Commission on Human Rights.

Plaintiff is incorrect. The MCHR letter gives rise to state court jurisdiction. It is not a basis for subject matter jurisdiction in federal court. Unfortunately, plaintiff filed this action in the wrong court.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration [ECF No. 9] is **DENIED**.

Dated this 27th day of July, 2015.

Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE